

JFW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,259	03/17/2004	Robert H. Blick	032026:0761

23524  
 FOLEY & LARDNER  
 150 EAST GILMAN STREET  
 P.O. BOX 1497  
 MADISON, WI 53701-1497



CONFIRMATION NO. 4314  
 FORMALITIES LETTER



\*OC000000012873682\*

Date Mailed: 06/04/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/09/2004 BABRAHA1 00000033 10802259

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2202	216.00 OP
04 FC:2201	86.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 9, 12, 15-17, 19.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• Additional claim fees of **\$604** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1504** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$604**
  - **\$172** for **2** independent claims over 3.
  - **\$432** for **24** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. 032026-0761

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

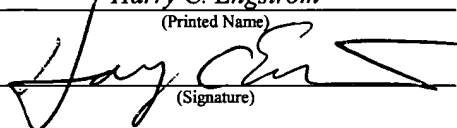
Applicants: Robert H. Blick, et al.

Title: ENHANCEMENT OF  
FABRICATION YIELDS OF  
NANOMECHANICAL DEVICES  
BY THIN FILM DEPOSITION

Appl. No.: 10/802,259

Filing Date: 03/17/2004

Art Unit: 2811

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Harry C. Engstrom</u> (Printed Name)</p> <p><u></u> (Signature)</p> <p><u>August 3, 2004</u> (Date of Deposit)</p>
---

**TRANSMITTAL OF MISSING PARTS**  
**OF PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed June 4, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ [ X ] Declaration and Power of Attorney (5 pages)
- ☒ [ X ] Return Copy of Notice to File Missing Parts
- ☐ [ ] Translation
- ☒ [ X ] Replacement Drawings (4 Sheets)
- ☐ [ ] Preliminary Amendment
- ☐ [ ] Claim for Convention Priority and certified copy of priority documents

- ☒ Information Disclosure Statement, Form PTO-1449, cited non-patent references.
- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☐ Extension for response filed within the first month
- ☐ Extension for response filed within the second month
- ☐ Extension for response filed within the third month
- ☐ Extension for response filed within the fourth month
- ☐ Extension for response filed within the fifth month

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total	44	- 20	= 24	x \$18.00	= \$432.00
Claims:					
Independents:	5	- 3	= 2	x \$86.00	= \$172.00
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee				+ \$130.00	= \$130.00
				SUBTOTAL:	= \$1,504.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$752.00
				TOTAL FILING FEE:	= \$752.00
				TOTAL FEE	= \$752.00
Difference to pay:				- \$0.00	- \$752.00

☒ Check in the amount of \$752.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

☐ Please charge Deposit Account No. 50-2350 in the amount of \$752.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

Dated: August 3, 2004

FOLEY & LARDNER LLP  
Customer Number: 23524  
Telephone: (608) 258-4207  
Facsimile: (608) 258-4258

By 

Harry C. Engstrom  
Attorney for Applicants  
Registration No. 26,876